

REMARKS

Reconsideration and allowance of this application are respectfully requested in light of the foregoing amendments and the following remarks.

Status of Claims

Claims 1 and 3-18 are pending in the application. Claim 1 has been amended. Claim 2 has been cancelled.

\$103 Rejections

Claims 1 - 7 and 12 - 16 are rejected as unpatentable over Kim et al. in view of Srinivasan. Claim 8 is rejected as unpatentable over Kim et al. in view of Srinivasan in further view of Tono et al. Claim 10 is rejected as unpatentable over Kim et al. in view of Srinivasan in further view of von Meer. Claims 9 and 11 are rejected as unpatentable over Kim et al. in view of Srinivasan in further view of Yamazaki.

Applicant respectfully disagrees in view of the foregoing amendments and the following remarks.

Kim et al. discloses a synthetic paper made from a resin blend of polyester and polyolefin with inorganic particles added to that blend. Kim et al., Column 1, line 61 - Column 2, line 2; Column 2, lines 32 - 34; and Column 2, lines 47 - 49.

Srinivasan discloses a flame resistant/UV stable nonwoven made from a thermoplastic resin and a N-alkoxy amine (flame retardant).  
Abstract.

The claims have been amended to define the thermoplastic as a polyester. Support for the amendment is found in the specification at Page 5, lines 20 - 24.

The combination of Kim et al. and Srinivasan is improper. Kim et al describes a blend or mixture of a polyester and polyolefin to make a synthetic paper. Kim et al cannot be modified by eliminating the polyolefin. MPEP 2143.01. Such a modification would require a substantial reconstruction of the Kim et al reference. MPEP 2143.01, Section citing *In re Ratti*. Such a modification would make the Kim et al. formulation unsuitable for its intended purpose, i.e., synthetic paper. MPEP 2143.01, Section citing *In re Gordon*. Accordingly, the Kim et al. reference must be removed, and then all the S103 rejections against the claims must fail.

#### Conclusion

In view of the foregoing amendments and comments, Applicant respectfully requests an early Notice of Allowance in the instant application.

Respectfully submitted,

*K. Schweitzer*

Klaus Schweitzer  
See attached Limited Recognition  
Under 37 CFR§10.9(b)

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